

AO 441 (Rev. 8/01) Third Party Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

PLAINTIFF

DIPLOMATIC MAN, INC.,

V. DEFENDANT AND THIRD PARTY PLAINTIFF

NIKE, INC.,

THIRD PARTY SUMMONS IN A
CIVIL ACTION

Case Number: 08 Civ 0139 (GEL)

V. THIRD PARTY DEFENDANT

LaRON JAMES a/k/a JUELZ SANTANA and
SANTANA'S WORLD,

To: Name and address of Third Party Defendant

SANTANA'S WORLD
c/o Elite Financial Management
744 Broad Street, 16th Floor
Newark, NJ 07102

YOU ARE HEREBY SUMMONED and required to serve on

PLAINTIFF'S ATTORNEY (name and address)

James P. Cinque, Esq.
CINQUE & CINQUE, P.C.
845 Third Avenue, Suite 1400
New York, New York 10022

DEFENDANT AND THIRD-PARTY PLAINTIFF'S ATTORNEY
(name and address)

Marshall Beil
McGUIREWOODS, LLP
1345 Avenue of the Americas (7th Floor)
New York, New York 10105
T: 212/548-2100

an answer to the third-party complaint which is served on you with this summons, within twenty days after the service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default may be taken against you for the relief demanded in the third-party complaint. There is also served on you with this summons a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

(By) DEPUTY CLERK

3/6/2008

DATE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
DIPLOMATIC MAN, INC.,
Plaintiff(s),

Index No. 08 CIV. 0139(GEL)

Vs.

AFFIDAVIT OF SERVICE

NIKE, INC.,
Defendant, Counter-
Claimant
and Third-Party Plaintiff

vs.

LaRON JAMES a/k/a JUELZ SANTANA and
SANTANA'S WORLD,
Third-Party Defendants.

-----X
STATE OF NEW YORK)
S.S.:
COUNTY OF NEW YORK)

TIMOTHY M. BOTTI, being duly sworn, deposes and says that he is over the age of
eighteen years, is employed by the attorney service, DLS, INC., and is not a party to this action.

That on the 7th day of March 2008, at approximately 12:50 p.m., deponent served a true
copy of the **THIRD PARTY SUMMONS IN A CIVIL ACTION, COMPLAINT JURY TRIAL**

DEMANDED ANSWER TO COMPLAINT, COUNTERCLAIMS, AND THIRD PARTY COMPLAINT

JURY TRIAL DEMANDED AND DEFENDANT'S RULE 7.1 STATEMENT upon Santana's World c/o

Elite Financial Management at 744 Broad Street, 16th Floor, Newark, NJ 07102, Attn: Sharon Benjamin, by
personally delivering and leaving the same with Cindy Alfaro, Administrative Assistant-to Sharon
Benjamin, who informed deponent that she is an agent authorized by appointment to receive service at
that address.

Cindy Alfaro is a white female, approximately 28 years of age, stands approximately 5 feet
5 inches tall and weighs approximately 145 pounds with long curly jet black hair and dark eyes.


TIMOTHY M. BOTTI #843358

Sworn to before me this
11th day of March, 2008


NOTARY PUBLIC

JONATHAN T. RIPPS
Notary Public, State of New York
NO. 01RI6109718
Qualified in Rockland County
Certificate Filed in New York County
Commission Expires May 17, 2008 